

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Julian Adams, Yu-Ting Ma, Ross L. Stein, Matthew Baevsky, Louis Grenier and Louis Plamondon

For: **BORONIC ESTER AND ACID COMPOUNDS, SYNTHESIS AND USES**

1. Type of Application

This new application is for a(n)

- ☐ Original (nonprovisional)
- ☐ Design
- ☐ Plant
- ☐ Divisional.
- ☒ Continuation.
- ☐ Continuation-in-part (C-I-P).

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Mail Stop Patent Application Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. SECTION 1.8(a)

- ☐ with sufficient postage as first class mail.

37 C.F.R. SECTION 1.10*

- ☒ as "Express Mail Post Office to Addressee"
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TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Sean Hunziker

(type or print name of person certifying)

Date: December 8, 2003

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).
"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

2. Benefit of Prior U.S. Application(s) (35 U.S.C. Sections 119(e), 120, or 121)

- ☒ The new application being transmitted is a continuation application of application No. 10/392,165, filed on March 19, 2003, now allowed, which is a continuation of application No. 10/125,997, filed on April 19, 2002, now Pat. No. 6,617,317, which is a continuation of application No. 10/100,295, filed on March 18, 2002, , now Pat. No. 6,548,668, which is a continuation of application No. 09/953,540, filed on September 14, 2001, now Pat. No. 6,465,433, which is a continuation of application No. 09/490,511, filed on Jan. 25, 2000, now Pat. No. 6,297,217, which is a division of application No. 09/085,404, filed on May 26, 1998, now Pat. No. 6,066,730, which is a division of application No. 08/549,318, filed on Oct. 27, 1995, now Pat. No. 5,780,454, which is a continuation-in-part of application No. 08/442,581, filed on May 16, 1995, now Pat. No. 6,083,903, which is a continuation-in-part of application No. 08/330,525, filed on Oct. 28, 1994, now abandoned.

3. Maintenance of Copendency of Prior Application

A. ☐ Extension of time in prior application

B. ☐ Conditional Petition for Extension of Time in Prior Application

(complete this item, if previous item not applicable)

- ☐ A conditional petition for extension of time is being filed in the pending **prior** application.
☐ A **copy** of the conditional petition filed in the prior application is attached.

4. Abandonment of Prior Application (if applicable)

- ☐ Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.

Notification in Parent Application of This Filing

- ☐ A notification of this continuation is being filed in the parent application from which this application claims priority under 35 U.S.C. Section 120.

5. Papers Enclosed

Required for Filing Date under 37 C.F.R. Section 1.53(b) (Regular) or 37 C.F.R. Section 1.153 (Design) Application

107 Pages of Specification, including
101 Pages of Description
5 Pages of Claims
1 Page of Abstract
3 Sheets of Drawings (Figure(s) 1, 2, 3A, 3B, 3C)

- ☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. Section 1.84(b).
- ☐ Formal
- ☒ Informal

6. Additional Papers Enclosed

- ☒ Information Disclosure Statement (37 C.F.R. Section 1.98) (2 pages).
- ☒ Forms PTO-1449 (PTO/SB/08A (2 pages) and 08B (3 pages).
- ☐ Copy of Declaration of Biological Deposit with attached copy of ATCC Receipt filed in parent application (4 pages).
- ☐ Copy of ___ pages of paper copy of Sequence Listing (37 CFR Section 1.821-1.823), ___pages of Submission of "Sequence Listing," and Diskette containing the Sequence Listing.
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☒ Other: Remarks (4 pages); Initial Information Data Sheet (3 pages).

7. Declaration or Oath (including power of attorney)

- ☒ Executed Combined Declaration and Powers of Attorney were filed in prior application 08/549,318, copies of which are enclosed (9 pages).

8. Assignment

- ☒ Attached is a copy of the assignment of the invention by way of merger from Leukosite, Inc. to Millennium Pharmaceuticals, Inc., as filed in prior application 09/490,511 and recorded on February 2, 2001 at Reel 011502, Frame 0845. Also attached are copies of the assignment by way of merger from ProScript, Inc. to Leukosite, Inc., recorded on September 21, 2000 at Reel 011433, Frame 0639 and the assignment of the inventors to ProScript, Inc., recorded on April 9, 1996 at Reel 7882, Frame 0067.

Practitioner's Docket No. : MPI94-008CP2DV2CN5M

9. **Fee Calculation** (37 C.F.R. Section 1.16)

A. ☒ Regular application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. Section 1.16(a) \$770.00
Total Claims (37 C.F.R. Section 1.16(c))	28	- 20 =	8	\$18.00	\$144.00
Independent Claims (37 C.F.R. Section 1.16(b))	4	- 3 =	1	\$86.00	\$86.00
Multiple Dependent Claim(s), if any (37 C.F.R. Section 1.16(d))	Yes	\$290.00			\$290.00

Filing Fee Calculation \$1290.00

- ☐ Amendment canceling extra claims is enclosed.
☐ Amendment deleting multiple-dependencies is enclosed.
☐ Fee for extra claims is not being paid at this time.

Practitioner's Docket No. : MPI94-008CP2DV2CN5M

10. Method of Payment of Fees

- ☐ Check in the amount of \$_____.
- ☒ Charge Account No. 501668 in the amount of \$1290.00
A duplicate of this transmittal is attached.

11. Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 501668.
- ☒ 37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)
- ☒ 37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims)
- ☐ 37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☐ 37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a).
- ☐ 37 C.F.R. Section 1.17 (application processing fees)
- ☐ 37 C.F.R. Section 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. Section 1.311(b))

12. Instructions as to Overpayment

- ☒ Credit Account No. 501668.
- ☐ Refund

13. Maintenance of Cependency of Prior Application

The parent application (U.S. Serial Number 10/392,165 filed March 19, 2003) of the present application is currently pending.

December 8, 2003

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☒ **Statement Where No Further Pages Added**

☒ This transmittal ends with this page.